

Minutes

Randolph County Commissioners

May 7, 2001

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Kemp, Frye, Davis, Mason and Holmes were present. Rev. David Ingersoll, Foster Street Wesleyan Church, Asheboro, delivered the invocation, and everyone recited the Pledge of Allegiance.

Consent Agenda

On motion of Frye, seconded by Davis, the Board unanimously approved the consent agenda, as follows:

- *approve minutes of April 2, April 5, and April 10, 2001; Approve Closed Session Minutes of April 5, 2001;*
- *appoint Lonnie T. Smith to fill the unexpired term of Jimmy Loflin on the Industrial Bond Authority;*
- *approve the following D.O.T. resolutions:*

WHEREAS, *the Department of Transportation has investigated Pine Lakes Drive in the Pine Lakes Subdivision off SR 2614; and*

WHEREAS, *the subject street has been found to meet minimum requirements for addition.*

NOW, THEREFORE, BE IT RESOLVED *by the Randolph County Board of Commissioners that Pine Lakes Drive in the Pine Lakes Subdivision off SR 2614 be added to the Division of Highways' Secondary Road System.*
and,

WHEREAS, *the Department of Transportation has investigated Evelyn View Drive in the Randolph Industrial Park; and*

WHEREAS, *the subject street has been found to meet minimum requirements for addition.*

NOW, THEREFORE, BE IT RESOLVED *by the Randolph County Board of Commissioners that Evelyn View Drive in the Randolph Industrial Park be added to the Division of Highways' Secondary Road System.*

- *reappoint Dr. Andrew Sykes to the RCC Board of Trustees; and*
- *reappoint George Gusler to the Workforce Development Board.*

Report on Security Staffing Needs in the New Courthouse

David Townsend, III, Public Works Director, introduced Bill Moser, Architect. Mr. Moser used overheads to show the physical layout and security staffing needs at the new courthouse. He stated that there would be 16 closed circuit cameras throughout the building and that all security will be handled by the Sheriff's Office.

According to an analysis prepared by the Courthouse Transition Committee (CTC), 20 additional employees should be hired and trained prior to the opening of the new courthouse. This represents a total of 26 full-time security personnel. Part-time employees will also be used when special circumstances cause a judge to order additional security. Mr. Moser noted that security was a primary element of design and significant capital has been invested in security systems, infrastructure, and layout. Calculations for personnel are

Courtroom Staff - Bailiffs (both District and Superior)..... $10 \times 1.21 = 12.1$

Security Systems Staff

Central Control.....	1		
Information Desk.....	2	(2 shifts)	
Public Entrance.....	3		
Employee Entrance.....	1		
Rover/ERT.....	1		
Total:	8x 1.21 =	9.7

Administration/Supervisors

Lieutenant.....	1		
Sergeant.....	1		
Total:	2 =	2.0
Inmate Transfer Staff.....	2x 1.21 =	2.4
Total full-time employees.....			= 26.2

Note: The 1.21 multiplier reflects a staff relief factor to accommodate vacations, sick leave, personal leave, continuing education, holidays, etc.

Several of the judges spoke, echoing the need for increased security personnel.

Phil Kemp said that he hopes the loitering in front and around the courthouse will decrease once the new courthouse is open so that entering the courthouse will be convenient for jurors and the elderly.

Judge Russell Walker, Jr. said that the building is going to be beautiful and is something to be proud of.

Additions and Deletions from Agenda

Chairman Kemp announced that Item B. Approval of Purchase and Bid Award for Upgrade to Spillman System had been removed from the agenda and that Item N. Resolution Regarding Veterans Day had been added.

Resolution Donating Surplus Ambulance to RCC

Susana Vang, Purchasing Technician, said that RCC has requested to receive as donation our 1991 Ford F-350 ambulance which has already been declared surplus and designated to sell at public auction.

On motion of Holmes, seconded by Davis, the Board voted unanimously to adopt the following resolution:

WHEREAS, Randolph County has declared a 1991 Ford F-350 Ambulance (VIN#: 1FDKF37M8MNA97955) surplus on April 2, 2001, designated to be sold by public auction; and

WHEREAS, Randolph County has received a request from Randolph Community College to have this vehicle donated to

them to enhance their emergency services training program; and

WHEREAS, Randolph County has removed this vehicle from public auction after receiving the request from Randolph Community College; and

WHEREAS, Randolph County may, under GS160A-274, transfer property to the Randolph Community College;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners declare that this vehicle be donated to Randolph Community College.

BE IT FURTHER RESOLVED that Susana Vang, Purchasing Technician, is authorized to handle the transfer of this vehicle to Randolph Community College.

Proposed Reduction In Force Policy

Kim Newsom, Personnel Director, told the Board that due to recent financial uncertainties he had reviewed the current Reduction-In-Force policy and proposes changes to bring about a more thorough and comprehensive approach when circumstances dictate the need to modify staffing. Changes can occur from cutbacks by funding sources, budget constraints, shortage of work, programmatic reorganizations, contracting for services and/or other organizational needs. The proposed new policy will provide a framework to insure fair and consistent treatment of employees affected by a reduction in force.

Alan Pugh, County Attorney, had some misgivings about the proposed policy in that it has the potential to protect the employee rather than management.

On motion of Frye, seconded by Davis, the Board voted unanimously to table a decision on this until further consideration could be given to it by the County Attorney, Personnel Director, and Staff Attorney.

Annual Report of Regional Partnership Workforce Development Board

Don Allred, Workforce Development Board member, distributed and reviewed quarterly status reports from the JobLink Career Center and stated that this agency is doing well. He and Janice Scarborough, Director of Regional Consolidated Services, answered questions from the Board regarding recent changes in the service delivery area.

Adoption of County Management Records Retention and Disposition Schedule Replacement

Alice Dawson, Clerk to the Board, submitted to the Board a new County Management Records Retention and Disposition Schedule that was prepared by the Local Records Unit of the Government Records Branch of the N.C. Dept. of Cultural Resources. This schedule replaces the 1991 County Administrative, Financial, Legal and Personnel Office schedule.

On motion of Frye, seconded by Mason, the Board adopted the new County Management Records Retention and Disposition Schedule (ATTACHED).

Request from N.C. City and County Management Association (NCCCMA) for Financial Support for Continuation of their Civic Education Project

NCCCMA is requesting financial assistance from counties and municipalities to fund a second round of funding (original 1991 project funding is running out) for continuation of local government teaching resources such as textbooks, 3rd- & 4th-grade lesson plans, newsletters, seminars, etc. Randolph County's share is \$1250. They hope to eventually secure long-term State or foundation funding. Frank Willis stated that there are sufficient funds in the Administration budget to cover this cost.

On motion of Holmes, seconded by Frye, the Board voted unanimously to appropriate \$1250 to NCCCMA for continuation of their civic education project.

Set Date for July Meeting

On motion of Frye, seconded by Holmes, the Board voted unanimously to set July 9 as the date for their regular meeting in July.

Adoption of Budget Schedule, Including Public Hearing on Proposed Budget

On motion of Mason, seconded by Frye, the Board unanimously adopted the schedule for all their budget sessions (June 5, 11, 18, and 25) including a public hearing on the budget at 7:00 p.m. on the 18th.

Consideration of Moratorium on Major Residential Subdivisions and Related Planned Unit Development

Hal Johnson said that the Planning Board had received requests from citizens regarding imposing a moratorium on rezoning for major residential subdivisions until the growth management plan could be adopted and put into use. The Board of Commissioners held a joint working session with the Planning Board on April 10 to discuss the components of the Growth Management Plan. As a result of that meeting, the Commissioners directed the Planning Board to hold another meeting with Planning Dept. staff to make a few changes to the plan to address certain concerns. The Commissioners decided to make a decision on whether to impose a moratorium at their May 7 meeting. Mr. Johnson stated that the Planning Board had met and made the necessary changes and voted unanimously to present the revised Growth Management Plan to the Commissioners.

It was the consensus of the Board to set a working session with Hal Johnson on Monday, May 14, 6:30 p.m. to review the revised Growth Management Plan. They also agreed that since adoption of the revised Plan appeared to be imminent, no moratorium would be needed.

Resolution Concerning Veterans Day

On motion of Frye, seconded by Davis, the Board unanimously adopted the following resolution opposing moving Veterans Day to Election Day in election years only:

WHEREAS, it has come to the attention of the Randolph County Board of Commissioners that House Bill HR62 has been proposed to establish Election Day in presidential election years as a legal public holiday by moving Veterans Day to Election Day in said years; and

WHEREAS, November 11th has traditionally been observed as the day established to honor and remember the noble men and women to whom we are so grateful for serving and protecting the freedom we enjoy today; and

WHEREAS, Randolph County recognizes Veterans Day as an all-important day for remembering our military veterans, particularly those who sacrificed their lives for this country; and

WHEREAS, combining Veterans Day with any other nationally recognized day such as Election Day would take away the significance of the occasion to honor these men and women for their service;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, North Carolina, that we express our wholehearted displeasure at any suggestion to change the Veterans Day holiday or combine it with any other nationally recognized day.

BE IT FURTHER RESOLVED that we respectfully call upon all Representatives and Senators of the United States of America to stand united in support of our veterans and vote against any proposal to move this important holiday which has been established to honor those who have served in the Armed Forces of the United States.

Budget Amendment #45 - Industrial Recruitment Grant - Sealy, Inc.

Jane Leonard stated that the final \$20,000 of Sealy's Industrial Recruitment Competitive Fund has been received by the County and needs to be disbursed to Sealy, Inc.

On motion of Mason, seconded by Davis, the Board voted unanimously to approve Budget Amendment #45, as follows:

GENERAL FUND - #45	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$20,000
Appropriation	Increase
<i>Special Appropriations - Indus. Recruit. Gr.-</i>	\$20,000

Budget Amendment #46 - State School Bonds

Jane Leonard stated the State School bonds for public school capital needs are budgeted each year as a grant to the County. The Department of Public Instruction approves the school projects and allocates the necessary portion of the bond proceeds. As payments are made on these projects, the State transfers money to the County's bank account. Our current year's budget needs to be amended to include the total amount of anticipated expenditures to be incurred in this fiscal year for the school projects.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve Budget Amendment #46, as follows:

<i>GENERAL FUND - #46</i>	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$4,000,000</i>
<i>Appropriation</i>	<i>Increase</i>
<i>County School Building Bond Fund</i>	<i>\$3,200,000</i>
<i>City School Building Bond Fund</i>	<i>\$800,000</i>

Budget Amendment #47 - Juvenile Justice Grant

Jane Leonard told the Board that the Juvenile Crime Prevention Council had a request from the Juvenile Restitution Program for additional funds to assist in paying monetary restitution. The Council requested that all programs look at current spending to see if any funds could be made available for restitution. The Day Reporting Center had lapse salary available that could be used for this program. Therefore, budget revisions were sent to the Dept. Of Juvenile Justice and Delinquency Prevention transferring \$3,000 between these two programs.

On motion of Frye, seconded by Mason, the Board voted unanimously to approve Budget Amendment #47, as follows:

GENERAL FUND - #47	
<i>Appropriations</i>	<i>Decrease</i>
<i>Day Reporting Center</i>	<i>\$3,000</i>
<i>Appropriations</i>	<i>Increase</i>
<i>Juvenile Justice Programs</i>	<i>\$3,000</i>

Budget Amendment #48 - Cooperative Extension - United Way Grant

On motion of Davis, seconded by Frye, the Board voted unanimously to approve Budget Amendment #48 to reflect \$4,988 in United Way grant funds that Cooperative Extension 4H has received, as follows:

GENERAL FUND - #48	
<i>Revenue</i>	<i>Increase</i>
<i>Miscellaneous</i>	<i>\$4,988</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Cooperative Extension</i>	<i>\$4,988</i>

Budget Amendment #49 - Court Facilities

Jane Leonard stated that due to high utility costs this winter, the Court Facilities budget is running short by

\$7,000. Also, an additional \$12,000 is needed due to an increased number of juveniles who were detained at higher per-day rates at some of the juvenile detention facilities that Randolph County is forced to use when Guilford County's facility is full. Each year, the County receives court facilities fees to provide these services for the courts. If the fees collected exceed the expenditures, the money is set aside in fund balance for future court needs. Currently, there is \$280,274 in reserve.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve Budget Amendment #49 to reflect a transfer of \$19,000 in Court Facilities funds, as follows:

GENERAL FUND - #49	
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$19,000</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Court Facilities</i>	<i>\$19,000</i>

Budget Amendment #50 - Local Law Enforcement Block Grant (LLEBG)

The County received a LLEBG last fiscal year to increase security in the courthouse. All of the grant funds were received in advance to pay 90% of the salaries for several part-time bailiffs. At June 30, 2000, the portion of grant funds not spent was accounted for as deferred revenue. Since then, the entire grant funds, the local match, and the interest earned have been spent. As a result, the following budget amendment is necessary to properly account for this grant.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #50 to account for LLEBG funds, as follows:

GENERAL FUND - #50

<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$7,876
<i>Investment Earnings</i>	\$390
<i>Miscellaneous</i>	\$1,992
<i>Appropriation</i>	<i>Increase</i>
<i>Sheriff & Jail</i>	\$10,258

Closed Session for Economic Development

On motion of Frye, seconded by Davis, the Board voted unanimously at 4:55 p.m. to go into closed session to discuss an economic development project, pursuant to NCGS 143-318-11(a)(4). They returned from closed session at 5:53 p.m. and took a brief recess until 6:30 p.m.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning & Zoning Director, presented the following requests, and Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request.

1. MICHAEL INGRAM, Asheboro, is requesting that 1 acre located at 3145 Rainbow Loop, Rainbow Park Subdivision, Lots 231-245, Cedar Grove Township, be rezoned from RR to RA/CU. The proposed Conditional Use Zoning District would specifically allow the placement of a Class-B mobile home. The Planning Board recommended unanimously that this request be approved.

Michael Ingram, 3145 Rainbow Loop, Asheboro, applicant, said that he plans to put a 3-year-old mobile home on this land.

Awilda Williams, realtor, 607 Back Creek Road, Asheboro, said there is already an existing driveway, outbuilding, car shed, and landscaping on the property.

On motion of Frye, seconded by Mason, the Board voted unanimously to approve this request.

2. CHARLES MILLER, Trinity, is requesting that 2.08 acres located on Kennedy Rd., Trinity Township, Lake Reese Watershed, be rezoned from RA to HC/CU. The proposed Conditional Use Zoning District would specifically allow an 80' x 30' building to be constructed for a variety, grocery and computer sales/service business. The Planning Board recommended unanimously that this request be approved.

Charles Miller, 3308 Miller Farm Drive, Trinity, applicant, said that he wants to move his business out of the city to the country.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve this request.

3. MCDOWELL TIMBER COMPANY, Asheboro, is requesting that 164.32 acres located on Jackson Creek Rd., Concord Township, be rezoned from RA to RE/CU. The proposed Conditional Use Zoning District would specifically allow the development of a 20-lot subdivision for site built homes only. The Planning Board recommended unanimously that this request be approved. Hal Johnson stated that Mr. McDowell's initial proposal was for 28 lots with 2 roads. Part of this land is in a Class A Flood Zone. Mr. McDowell has redesigned his proposal for larger lots, reduced the number of lots from 28 to 20, and proposes only 1 road into the subdivision.

Ken McDowell, applicant, 1927 Old Humble Mill Rd., Asheboro, said that after hearing neighbors' concerns, he has reduced the number of lots and has increased the lot size to a least 2 acres, with the average lot size being 8.115 acres. He also said that the proposed road will be built to D.O.T. standards.

Roger King, 5225 Jackson Creek Rd., Asheboro, spoke on behalf of neighbors and opposes this subdivision. The reduction of 8 lots doesn't eliminate their water and sewer, density, fire protection, school overcrowding, and environmental concerns. He said that under the proposed Growth Management Plan, this subdivision would not be allowed because it will be designated as a rural conservation area.

Approximately 17 people stood in opposition.

Carol Miller, 5787 Jackson Creek Rd., Asheboro, said that when this area floods, sewage from the development will contaminate the creek.

Chairman Kemp asked Mr. Johnson what is different about the new plan. Mr. Johnson stated that the new plan has wider lots and buffers along the road and the side.

On motion of Holmes, seconded by Mason, the Board voted 4-1, with Frye opposing, to approve this request.

4. RICHARD KELLER, Denton, is requesting that 45.30 acres located at 7639 Hwy. 49 S., Concord Township, be rezoned from RA to LI/CU. The proposed Conditional Use Zoning District would specifically allow a planned business development for auto sales, mini warehouse storage buildings and expansion of existing salvage yard. The Planning Board recommended unanimously that this request be approved with the following conditions:

- * 6' privacy chain linked fence around the entire property being requested to be zoned
- * maintain business out of flood zone
- * work with Planning Staff on appropriate buffers (around the storage facility & creek)

Mr. Johnson stated that Mr. Keller had withdrawn his request to expand north of the creek. He currently has cars and tires in the flood zone, and they must be moved. A fence down the east and west sides and along the south side toward the creek would be required. Evergreens would have to be planted on the east side, and those on the front would have to be kept. With all these conditions and the zoning code enforcement, this business would be environmentally safe.

Jon Megerian, attorney for the applicant, explained that Mr. Keller thought that the entire property was rezoned LI in 1987. He said Mr. Keller will accept the conditions recommended by the Planning Board.

Charles Nance, adjoining property owner, 7470 Hwy. 59 S., Asheboro, said that water from Mr. Keller's property runs onto his property and washes out his driveway.

Chairman Kemp suggested that a ditch or some other means of water diversion be placed along the property line to keep the water off Mr. Nance's property.

Mr. Keller agreed and requested that water runoff control along Mr. Nance's property line be placed as a condition on his request.

Paul Hinshaw, 206 Oak Leaf Rd., Asheboro, complained that water from Mr. Keller's property

runs off into his cow pasture and that tires and other car parts have washed down into his pasture. Mr. Keller has not removed any of this debris from his pasture.

On motion of Frye, seconded by Mason, the Board voted unanimously to approve this request with the conditions recommended by the Planning Board and the condition that the run off is diverted from neighboring property.

5. SDT DEVELOPMENT, LLC., Archdale, is requesting that 31.97 acres located on the end of Post Road, Tabernacle Township, Lake Reese Watershed, be rezoned from RA to RE/CU. The proposed Conditional Use Zoning District would specifically allow the development of a 28-lot subdivision for site-built homes only with minimum house size of 1,200 sq. ft. The Planning Board recommended unanimously that this request be approved.

Terry Nall, P. O. Box 4282, Archdale, said he and his partner planned this development to fit the neighborhood. Houses will have 1250 sq. ft., double garages, and paved driveways.

On motion of Davis, seconded by Frye, the Board voted unanimously to approve this request.

6. WILLIAM HUNT, JR., Seagrove, is requesting that 36.07 acres (out of 51 acres) located on W.E. Hunt Rd., Richland Township, be rezoned from RA to RM/CU. The proposed Conditional Use Zoning District would specifically allow an expansion of 8 lots to Maple Spring Mobile Home Park for a total of 14 rental lots and 1 lot for his son. The Planning Board unanimously recommended that this request be denied.

Mr. Johnson reported that this request has changed; it is now less dense, and there will be no new road except for the driveway to the lot for Mr. Hunt's son. If approved, the site plan presented today would be part of the conditional use.

William Hunt, Jr., P. O. Box 28, Seagrove, stated that he plans to finish the existing road and pave it to D.O.T. standards. His son will live there and manage the property.

Jeff Auman, 5996 Auman Farm Rd., Seagrove, said this area is a rural farming community with large lots. They do not want a rental property development there.

Approximately 10 people stood in opposition.

Marie Auman, 6200 Auman Farm Rd., Seagrove, said she has lived there all her life and she doesn't want a trailer park there.

Dennette Lilly, 6525 Maple Springs Rd., Seagrove, agreed with other speakers.

Linda Cole, 6519 Maple Springs Rd., Seagrove, said she moved out to the country to get away from violence.

On motion of Mason, seconded by Frye, the Board voted 3-2, with Kemp and Holmes opposing, to approve this request.

7. **BOBBY EARNHARDT**, Asheboro, is requesting that 27.04 acres (out of 107.40 acres) located on Hoover Hill Rd., Tabernacle Township, Lake Reese Watershed, be rezoned from RA to RE/CU. The proposed Conditional Use Zoning District would specifically allow the development of a 9-lot subdivision for site-built homes and off-frame modular homes. The Planning Board recommended unanimously that this request be denied.

Robert Douglas, attorney for the applicant, 110 Commerce Place, Greensboro, stated that Mrs. Briles needs to sell this property because of finances. He said this rezoning would not create a density, traffic, or school problem.

Stan Byrd, 3238 Byrd Lane, Sophia, said he does not own any trailer parks or lots on Hoover Hill Road, and Earnhardts don't build substandard houses. He said the type of housing proposed is needed.

Bobby Earnhardt, 4422 Earnhardt Rd., clarified that their rezoning request is just for the 8 lots on the front, which is a total of 16 acres. Water for the development will come from Davidson Water. He said they plan to leave all the trees except those removed for the houses, driveways, and septic tanks. Houses will be 1000-1200 square feet.

Lynn Adams, 981 Forest Lake Dr., Asheboro, stated that his concern is keeping the scenic beauty and making sure that the development complements the area. He also expressed concern about all the driveways entering the road on a steep hill, and added that he would like to see a buffer.

Jim Jones, 5107 Red Fox Trail, said that a fireman from Tabernacle Fire Department had reported that 90% of their calls come from this area. Mr. Jones said the driveways proposed are too dangerous.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve this request.

8. MCDOWELL TIMBER COMPANY, Asheboro, is requesting that 64.43 acres located on Grantville Lane, Grant Township, be rezoned from RA to RR/CU. The proposed Conditional Use Zoning District would specifically allow the development of a 39-lot subdivision for site-built homes. The Planning Board heard this request on March 6 and recommended approval. The County Commissioners heard this request at the April 2 meeting and recommended it be denied. The developer has now re-submitted his request from RR to RE/CU for site-built homes and asked that his new proposal be considered at public hearing by the Commissioners.

Ken McDowell, developer, said all houses would be site-built or modular and the road would be paved to D.O.T. standards.

John Gatlin, 2575 Buffalo Ford Rd., builder, said that the 8 front lots would have site-built houses.

Farrell Brown, 2075 Grantville Lane, voiced concerns about traffic, lot sizes, and groundwater supply.

On motion of Mason, seconded by Davis, the Board voted unanimously to approve this request.

There being no further business, the Board adjourned at 9:10 p.m.

Phil Kemp, Chairman

Robert O. Mason

Darrell L. Frye

Robert B. Davis

J. Harold Holmes

Cheryl A. Ivey, Deputy Clerk to the Board